

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE SIDE

WRIT PETITION NO. 3349 OF 2006

Yeshwant Gajanan Joshi & ors.... Petitioner

versus

The General Manager,
Hindustan Petroleum Corporation
Limited and others. Respondent.

Mr. R.V.Pai i/b. S.M.Kamble for the petitioner.
Mr. M.D.Soidia i/b. Rustomji & Ginwala & Co. for the
respondent no.1.
Hemangi Modi for respondent no.2.

CORAM; A.P. DESHPANDE, J.
DATED; 16TH AUGUST, 2007

P.C.;

1. Order dated 29-3-2006 passed by the trial court is challenged in the present writ petition. The present petitioners are claiming compensation by filing Land Acquisition Reference No.50/92. There are other connected Reference as well. As some of the documents are objected to by the defendants, the trial court has declined to exhibit them. I am informed that the evidence of the petitioners/plaintiff is yet not concluded. In this view of the matter I do not find any reason to interfere with the interlocutory order. The petitioners can always prove the documents by examining appropriate witnesses by having recourse to the provisions of Evidence Act. As the petitioner has

a chance to prove the said documents by leading appropriate evidence, no prejudice will be caused to the petitioners, if no interference is made with the impugned order. it is thus clarified that it shall be open for the petitioner to prove the said documents in question in accordance with the provisions of Evidence Act. Hence this writ petition is disposed of.

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